

MINUTES
UTAH
DENTIST
AND
DENTAL HYGIENIST
LICENSING BOARD MEETING

October 23, 2008

Room 474 – 4th Floor – 1:30 P.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 1:34 P.M.

ADJOURNED: 5:26 P.M.

Bureau Manager:
Board Secretary:
Division Compliance Specialist:

Noel Taxin
Karen McCall
Ronda Trujillo

Board Members Present:

Anna Policelli, RDH, Chairperson
Pamela L. Jolley, Public Member
Stephen S. Morgan, DDS
Brian L. Lundberg, DMD
Rich S. Radmall, DDS
Greg T. Beyeler, DDS
Alexander B. Larsen, DDS
Karen S. Bateman, RDH

Board Members Absent:

James N. Ence, DDS

Guests:

Monte Thompson, Utah Dental Association
Kristin Balls
Jessica Bitton
Janet Johnson
Joleen VanBibber
Katie Poulsen
Amanda Ferguson
Elisabeth Pyper

DOPL Staff Present:

David Stanley, Division Director
Wayne Holman, Chief Investigator
Kent Barnes, Sr. Business Analyst
Mitchell Jones, AG

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the September 18, 2008 Board meeting were read.

Dr. Morgan made a motion to approve the minutes with minor revisions. Dr. Radmall seconded the motion. **The Board vote was unanimous.**

BUSINESS FROM PREVIOUS MEETING:

Proposed Rules Review

Ms. Taxin reviewed the proposed Rules with the Board. She requested Board members to review and compare the proposed Rules, the July 5, 2001 proposed version and the current, June 9, 2008, version and be prepared at the January 8, 2009 meeting for additional discussion.

Kiosk Advertising Update

Ms. Taxin addressed the Kiosk Advertising in her reports from the Dental Conference.

APPOINTMENTS:

1:45 pm

Ronda Trujillo , Compliance Update

Ms. Trujillo updated the Board regarding the compliance or non-compliance of probationers.

Ms. Trujillo reported that **Dr. Rochelle Rasmussen** is currently in compliance with her Stipulation and Order. She stated that she did question compliance with the requirement of the employer report and notification acknowledging reading the Stipulation and Order as there is no documentation of this in Dr. Rasmussen's file. She stated that there is no amendment to the Stipulation and Order that the report is not required. Ms. Trujillo stated that Dr. Rasmussen has employees but there is no report from any of them. She asked if the Board made a decision that the reports would not be required.

The Board stated that they did not recommend any amendments but understood that Dr. Rasmussen works in her own practice and would not have an

employer so they did not address the issue.

Ms. Taxin stated that if Dr Rasmussen has an associate then they could read the Stipulation and Order, write the letter of having read the document and submit quarterly reports.

Ms. Trujillo stated that if the Board is not going to require something that is in the Stipulation and Order then the document should be amended and the requirements should be taken out.

Ms. Taxin also informed the Board that Dr. Rasmussen was required to abstain from using alcohol and controlled substances. She stated Dr. Rasmussen had a psychological assessment which documented that she did not have an alcohol and/or drug problem. Ms. Taxin stated that the Stipulation and Order should be amended. She stated that the Board cannot add requirements that are not written in the Stipulation and Order but they can amend to take out requirements that are not pertinent or complete. Ms. Taxin stated that if an incident is reported to a Board member they should report it to investigations and let the incident be investigated as new complaints or issues cannot be discussed at a Board meeting. Ms. Taxin stated it is unfair to request additional information that is not required in the Stipulation.

Dr. Radmall commented that the Board discussed with Dr. Rasmussen submitting employee's job descriptions including their signature and date they signed. He stated that the Board encouraged Dr. Rasmussen to provide a copy of the Law for her employees.

Ms. Taxin responded that a Dentist should write the report for a Dentist if possible.

Ms. Trujillo reported that **Dr. Sage White** is currently in compliance with his Stipulation and Order. She informed the Board that Dr. White is scheduled for termination of probation in November 2008. Ms. Trujillo stated that Dr. White also has not had any

employer reports submitted. She stated that he has informed her and the Board that he has completed the CE requirement but the information he submitted documents only that he ordered the CE course. She stated that there is nothing in the minutes that documents the Board accepted Dr. White's information as having completed the CE. She stated that the file mentions the need to follow-up on the cases he has been working on. Ms. Trujillo stated that Dr. White will hopefully bring some information with him today. She stated that she has some copies of an audit of his practice for the Board to review. Ms. Trujillo stated that the audit was conducted by an investigator.

Dr. Lundberg commented that it appears some issues with specific patients have been resolved.

Ms. Taxin stated that the investigator randomly selected files to be reviewed. She stated that the investigator reported that Dr. White was pleasant and willing to let her select the files. She stated that some of the issues that have been brought up were not part of Dr. White's Stipulation and Order. Ms. Taxin stated that the Board cannot hold him accountable for anything not in his Stipulation and Order. She suggested the Board mention the concerns to Dr. White and, hopefully, he will make some changes in his practice.

Dr. Morgan asked if there were any concerns regarding Dr. White's advertising.

Ms. Taxin responded that the way the Law is written in the unprofessional conduct area it says that if a person takes an ADA education program then they can call themselves an orthodontist or another specialty. She asked if the Board knows if Dr. White completed an ADA education course because if he did then his advertising is appropriate. However, if he did not then he cannot advertise the way he is currently advertising. Ms. Taxin stated that the investigator reported that Dr. White does orthodontics and the office was very professional and clean.

2:00 pm
Dr. Rochelle Rasmussen, Probationary
Interview

Ms. Bateman commented that, according to Dr. White's business card, she does not believe he is practicing unprofessionally.

Dr. Rasmussen met for her probationary interview.

Division staff were introduced.

Ms. Bateman conducted the interview.

Ms. Bateman asked Dr. Rasmussen if she is currently practicing at the same location where she has always practiced.

Dr. Rasmussen responded that she is at the same location.

Ms. Bateman stated that there are 2 parts of Dr. Rasmussen's Stipulation and Order that needs to be addressed today. She stated that the Stipulation and Order requires Dr. Rasmussen to abstain from the use of drugs and alcohol. Ms. Bateman stated that Dr. Rasmussen's psychological evaluation has documented that she does not have a problem with drugs or alcohol. She stated that the Board may do an amendment as that requirement is not applicable any longer.

Dr. Rasmussen asked why they would amend that requirement as she chooses to abstain from the use drugs and alcohol.

Ms. Taxin stated that the requirement to abstain may be left in Dr. Rasmussen's Stipulation and Order if she desires. She stated that Dr. Rasmussen is restricted from using drugs and/or alcohol but she is not on drug testing to determine if she is using either. She explained that Dr. Rasmussen's psychological evaluation documented that Dr. Rasmussen does not have a problem in that area. She stated that Dr. Rasmussen may write a letter that says she abstains from drugs and alcohol so that the documentation is in her file.

Dr. Rasmussen responded that it would not make a

difference to her as she abstains by choice.

Dr. Larsen made a motion to remove the requirement from Dr. Rasmussen's Stipulation and Order. Dr. Morgan seconded the motion. The Board vote was unanimous.

Ms. Taxin explained that the paperwork will take about 2 weeks.

Ms. Bateman stated that Dr. Rasmussen's Stipulation and Order requires an employer report. She stated that the reports need to be submitted if Dr. Rasmussen works with another Doctor.

Dr. Rasmussen responded that she works with Dr. Ray and Dr. Kelly.

Ms. Taxin explained that either Dr. Ray or Dr. Kelly will need to read Dr. Rasmussen's Stipulation and Order and write a letter confirming they have read and understand the document and are willing to submit quarterly reports.

Dr. Rasmussen asked if a copy of the Stipulation and Order could be provided to her as she is not sure where her original is.

Ms. Trujillo left the meeting to make Dr. Rasmussen a copy.

Ms. Bateman stated that Dr. Rasmussen's file indicates she completed the required ethics course.

Dr. Rasmussen responded that she completed an ethics course and sent a copy of her grades to the Division for her file. She stated that the course was on the legal environment of business.

Ms. Bateman made a motion to accept the course as meeting the requirement of the Stipulation and Order. Dr. Larsen seconded the motion. The Board vote was unanimous.

Ms. Bateman requested Dr. Rasmussen to explain

her practice to the Board.

Dr. Rasmussen responded that she is still working 4 days a week. She stated that she had a baby about 17 months ago and is not ready to work full-time. Dr. Rasmussen stated that Dr. Kelly comes in everyday, there is an office manager, Misty, an accountant, Mardell, a front desk person, Nicki, 2 Dental Assistants and a Dental Hygienist.

Ms. Taxin recommended Dr. Rasmussen read through the Stipulation and Order and write down any questions she may have for her next appointment.

Ms. Bateman reminded Dr. Rasmussen that all information must be submitted by the first of the month to prepare it for the Board meeting. She stated that the reports are due quarterly.

Ms. Policelli asked if Dr. Rasmussen's husband is also a dentist.

Dr. Rasmussen responded that her husband is a Dentist with his own practice.

An appointment was made for Dr. Rasmussen to meet again January 8, 2009.

2:20 pm
Dr. Sage White, Probationary Interview

Dr. White met for his probationary interview.

Board members and Division staff were introduced.

Dr. Lundberg conducted the interview.

Dr. Lundberg informed Dr. White that there are a few housekeeping items that need to be taken care of. He stated that there is no documentation of Dr. White completing the required CE course. Dr. Lundberg stated that since the company does not give out certificates of completion the Board would like Dr. White to explain what he learned by taking the course.

Dr. White gave an overview of the course. He stated

that based on what he learned in the course he has made some changes in his practice. He stated that he now reviews with the patient at the first visit the HIPPA requirements. He stated that there was an examination at the end of the course. Dr. White submitted a copy of the course content for the Board to review and to retain in his file. Dr. White stated that he has the Eagle-Soft computer program now and everything is easier as it is all on the computer. He stated that he reviewed his proposed office changes with the staff prior to incorporating them into his practice.

Ms. Taxin stated that if the Board approves the course syllabi then the record will show that Dr. White has completed that requirement.

Dr. Lundberg stated that the Stipulation and Order requires employer reports for 6 months and quarterly thereafter. He stated that probationers do not write their own reports, however, a letter from Dr. White stating that he is self employed needs to be written to complete the paperwork in the file.

Dr. White agreed to write the letter for the Board.

Dr. Lundberg stated that the last time Dr. White met, there was some discussion regarding a couple of patients. He asked Dr. White to update the Board regarding those 2 patients.

Dr. White stated that he received a letter regarding one patient. He read the letter to the Board. He stated that both issues have been resolved.

Ms. Taxin asked for a copy for Dr. White's file.

Dr. Lundberg stated that the Board had discussed concerns regarding Dr. White's advertising.

Dr. White responded that he has documentation regarding having talked with the people who write the yellow pages. He submitted the documentation.

Dr. Lundberg thanked Dr. White for the

documentation and placed it in Dr. White's file.

Ms. Policelli asked what percent of Dr. White's practice is in orthodontics.

Dr. White responded that the office does everything and orthodontics is about 20% of the total practice. He stated that there is a Dental Hygienist who has an assistant.

Ms. Bateman asked if Dr. White does implants and if he does, where he received his training.

Dr. White responded that he does implants and received his training in Las Vegas.

Dr. Larsen asked if the orthodontics portion of the practice is diminishing.

Dr. White responded orthodontics is diminishing. He stated that now he is doing everything and the practice has evened out.

Ms. Policelli asked if Dr. White treats TMJ.

Dr. White responded the he is not treating TMJ or doing 2nd molar extractions anymore.

Ms. Policelli stated that the Board encourages him to abstain from 2nd molar extractions even after he is off probation.

Ms. Taxin clarified that if he wants to do 2nd molar extractions then he needs additional education and training.

Dr. Morgan commented that the probation process has been tough on Dr. White. He stated that part of the difficulty is due to the area where Dr. White's practice is located. He asked what Dr. White has done to change some of the thoughts and perceptions of him in the community. Dr. Morgan stated that Dr. White had informed the Board that he was abstaining from attending any local meetings due to being shunned. He asked if that issue has been worked out.

Dr. White responded that he has attended open houses for several businesses and has referred some patients out to other Dentists. Dr. White responded that it has somewhat worked out. He stated that he now attends some functions, goes to some conferences, still lectures and will do a lecture in February 2010.

Dr. Morgan stated that the Board would encourage Dr. White to develop a strong relationship with other professionals in his community.

Dr. Morgan then made a motion to approve the CE course as meeting the requirement of the Stipulation and Order. Dr. Beyeler seconded the motion. The Board vote was unanimous.

Dr. White thanked the Board for accepting the course. He stated that has completed 125 hours of CE in less than 2 years and has gained knowledge from the courses.

Dr. Larsen stated that Dr. White's business card indicates that he treats sleep disorders.

Dr. Lundberg explained that a Dentist may treat sleep disorders if they refer the patient out.

Dr. White responded that he does treat sleep disorders and does refer the patients out. He stated that he is the only Dentist in Utah that is Board Certified to treat sleep disorders.

Dr. Lundberg stated that an investigator was requested to go to Dr. White's office to audit files at random in anticipation of the Board/Division possibly terminating Dr. White's probation. He asked Dr. White to explain to the Board what he has learned over the last two and a half years that helps him in his practice.

Dr. White responded that he has learned the importance of record keeping and better methods to keep his records. He stated that all his records are now computerized which is a neater and cleaner way to keep the records. He stated that he has learned that

there are other ways to treat conditions instead of pulling the 2nd molars. Dr. White stated that he has learned to work with other professionals. He stated that the hardest part of the probation was trying to understand why this happened to him.

Dr. Lundberg thanked Dr. White for his comments and stated that if Dr. White has learned from the process then it has been successful.

Ms. Bateman made a motion to terminate probation upon receipt of Dr. White's letter confirming that he is in private practice. Dr. Radmall seconded the motion. The Board vote was unanimous.

APPLICATIONS:

Dr. James Curtis, Examination Comparison Review

Dr. Larsen and Dr. Lundberg reviewed Dr. Curtis's examination comparison and noted that the Nevada State specific examination is lacking the periodontal diagnosis and treatment and the endodontic technique.

Dr. Morgan made a motion to deny accepting the Nevada State specific examination as it was not equivalent to the WREB examination at the time the examination was taken due to the lack of the periodontal diagnosis and treatment and the endodontic technique sections.

Dr. Radmall seconded the motion.

Dr. Radmall, Dr. Morgan, Dr. Beyler and Ms. Bateman voted in favor of the motion. Dr. Lundberg and Dr. Larsen voted against the motion. Ms. Jolley abstained from voting. The motion passed with a majority vote.

Ms. Policelli commented that she believes the Board should follow the guidelines of the Law which requires an individual to have passed one of the regional exams or an equivalent for licensure in Utah.

Ms. Taxin read the requirements in 58-69-302 of the Law and stated that she will inform Dr. Curtis that his examination was deficient in the 2 areas and if he has

documentation of proficiency in those 2 areas to submit the information for review.

Dr. Morgan recommended Dr. Curtis contact WREB regarding taking only the 2 areas in which he is deficient. He recommended that if Dr. Curtis passes the 2 areas then the license should be issued.

Dr. David E. Iroz, Examination Comparison Review

Dr. Morgan reviewed Iroz's examination comparison and noted that the Nevada State specific examination is lacking the periodontal diagnosis and treatment and the endodontic technique. He recommended Dr. Iroz contact WREB regarding taking only the 2 areas in which he is deficient. He recommended that if Dr. Iroz passes the 2 areas then the license should be issued.

Dr. Larsen commented that he believes the Utah system is unfair and arbitrary as these Dentists have already passed an examination. He stated that he believes a licensee who has practiced for several years has a level of competency that should be recognized and just because a specific examination documents deficiencies in an examination does not mean they are incompetent.

Ms. Bateman responded that having or not having a periodontal diagnosis and treatment section and the endodontic technique section of an examination is not unfair or arbitrary but is clearly a complete examination or deficient in specific areas.

Dr. Morgan made a motion to deny accepting the Nevada State specific examination as it was not equivalent to the WREB examination at the time the examination was taken due to the lack of the periodontal diagnosis and treatment and the endodontic technique sections.

Dr. Radmall seconded the motion.

Dr. Radmall, Dr. Morgan, Dr. Beyler and Ms. Bateman voted in favor of the motion. Dr. Lundberg and Dr. Larsen voted against the motion. Ms. Jolley abstained from voting. The motion passed with a majority vote.

Dr. David W. Nicholls, Examination
Comparison Review

Ms. Taxin responded that a letter will be sent to Dr. Iroz to submit documentation of proficiency in those 2 areas for review.

Dr. Radmall reviewed Nicholls's examination comparison and noted that the California State specific examination is lacking the periodontal diagnosis and treatment and the endodontic technique. He also noted that Dr. Nicholls has been practicing as an oral surgeon since 1989. He stated that if Dr. Nicholls is coming into Utah to practice as a surgeon then the deficient examination components are not a concern.

Ms. Taxin reminded the Board that when a Dentist license is issued there is no guideline given regarding what type of Dentistry the licensee may practice. She stated that Dr. Nicholls would be a Dentist that does dental surgery.

Dr. Morgan made a motion to deny accepting the Nevada State specific examination as it was not equivalent to the WREB examination at the time the examination was taken due to the lack of the periodontal diagnosis and treatment and the endodontic technique sections.

Dr. Radmall seconded the motion.

Dr. Radmall, Dr. Morgan, Dr. Beyler and Ms. Bateman voted in favor of the motion. Dr. Lundberg and Dr. Larsen voted against the motion. Ms. Jolley abstained from voting. The motion passed with a majority vote.

Ms. Taxin stated that a letter will be sent to Dr. Nicholls to submit documentation of proficiency in those 2 areas for review.

Monica Spannbauer, Examination Comparison
Review

Ms. Bateman reviewed Ms. Spannbauer's examination comparison and noted that the Nevada State specific examination is equivalent to the WREB examination. She recommended Ms. Spannbauer be issued the Dental Hygienist license.

The Board concurred.

DISCUSSION ITEMS:

Endorsement

Ms. Taxin recommended to the Board that the section of licensure by endorsement needs some updating so that the Board does not have to compare the WREB examination with State specific examinations to determine if they are substantially equivalent.

Ms. Policelli commented that she believes the Board should look at the regional examinations applicants have taken.

Ms. Taxin responded that most applicants that are already licensed have completed a State specific examination and have not taken a regional examination. She stated that the Board could consider several years of licensure and completed CE.

Ms. Policelli commented that for the Dentist pathway for licensure there are some areas where the applicant does not necessarily have to have taken and passed any examination, i.e.: California internship. She stated that there is one case where a woman never graduated from a program but was granted a license without anyone knowing.

Dr. Morgan commented that the National examination is book learning based and the Regional examination is hands on.

Ms. Taxin commented that maybe endorsement should not be an option as Utah requires applicants at this time to meet all new licensee requirements with the additional requirement of documenting that they have practiced 6,000 hours in the 5 years immediately preceding the date of their Utah application. She stated that after meeting the requirements then we require that the applicant takes and passes the WREB examination if their State specific examination is not equivalent.

Dr. Radmall responded that the applicant would only take the competency portion of the WREB examination.

Ms. Bateman responded that there are some examinations that the Board can accept that are somewhat equivalent to the WREB. She stated that the Board has reviewed the Idaho State specific examinations back to the 1970's and believe they are equivalent to the WREB examinations during those years.

Dr. Larsen responded that the Board has reviewed the Washington State examination that was taken prior to the WREB being available and the examination was determined to be accepted. He recommended the Board come up with some guidelines now that new pathways for licensure are opening up.

Ms. Jolley stated that she does not think the Board wants to become known for Utah being an easy place to get a license.

Ms. Taxin stated that she has concerns regarding what the standard is for the evaluation and if someone obtained legal counsel would the Board evaluation be defensible.

Mr. Thompson commented that he agrees with Ms. Taxin's concern and has watched the evolution of the endorsement requirements. He stated that when the Board initially adopted endorsement requirements there was discussion regarding identifying what State examinations were acceptable. He stated that we are now 20 years down the road and generally there is more mobility which causes more problems in determining equivalency. He recommended the Board discuss and develop revised requirements for licensure by endorsement.

Mr. Thompson suggested that the Board consider not accepting specific State examinations and not reviewing all applications for endorsement equivalency. He stated that maybe the Board should consider accepting a specific number of years of practice in lieu of State specific examinations for endorsement.

Ms. Policelli commented that initial licensure and endorsement requirements should be similar. She suggested that maybe Utah could consider accepting the Regional examination for initial licensure only. Ms. Policelli stated that there are many different licensing requirements for the different States and it is hard to make a drastic change when there are so many methods of screening applicants.

Dr. Radmall believes a specific criteria should be established and that applications be reviewed on a case by case basis.

Ms. Taxin requested the Board to review the endorsement requirements and be prepared for additional discussion at the next scheduled Board meeting.

Review Rosewood Dental Assistant Radiology Program

Ms. Bateman reviewed the Dental Assistant Radiology program and determined it meets the requirements as outlined in R1560-69-603 and R156-69-504 of the Utah Rules.

The Board concurred.

Anna Policelli and Noel Taxin Reports on Dental Conference

Ms. Taxin reported that Kiosks doing bleaching was one of the big issues at the conference. She stated that she received legal information at her administrators meeting and was informed that most States are concerned. Ms. Taxin stated that her position at his time is not to change the Divisions procedure on enforcement as there are currently 2 States being sued by the Federal Trade Commission.

She stated that if the wording under 58-69-102(6)(a)(v) was changed from “remove deposits, accumulations, calculus, and concretions from the surfaces of teeth” to read “remove **stains**, deposits, accumulations, calculus, and concretions from the surfaces of teeth” then it might be more enforceable and cover the issue of bleaching or add a number (vi) and write language specific to bleaching. She stated that language might also be written in the unlawful conduct area. Ms. Taxin stated that the current Law is not clear on the issue and the Division cannot enforce

the problems or concerns.

Dr. Morgan commented that the intrinsic color of teeth is the inherent individual color of the teeth. He stated that the intrinsic and extrinsic discoloration can be changed.

Ms. Taxin stated that another issue discussed was the percent of the solution being used. She stated that some States have identified what is Dental grade product and what is not. She stated that the Board could make a recommendation regarding the formula for Dental grade only and include that the use of Dental grade must be done in the Dental office.

Ms. Taxin stated that there was a good representation of the States at the conference and only 3 States did not attend.

Ms. Taxin recommended additional discussion take place later. She stated that there have not yet been any complaints in Utah regarding someone being injured but there is a case where an individual had their gums burned when too much solution was in the tray.

Ms. Policelli reported that complaints are what drive the issue. She stated that there was a case where a patient had a terrible allergic reaction after a crown had been seated. She stated that the patient had to be hospitalized and it was discovered that the crown was made in China. Ms. Policelli stated that in her session it was discussed that Dentists should be liable regarding who they contract with and who the contractor contracts with. She stated that some States are requiring a prescription to make a crown and the prescription must list all materials, the name of the subcontractor and that the crown was not outsourced. She suggested Monte Thompson include something in the association newsletter.

Mr. Thompson commented that the issue has been around and discussed for about a year now and is a little dated but still important.

Ms. Policelli reported that many States have the bleaching problem but there is currently no specific

legislation addressing the issue.

Ms. Taxin commented that she is aware that a change needs to be made in the Utah Law for clarification.

Ms. Policelli stated that Minnesota is instituting the ADHP educational program. She stated that each State does their own licensing and will need to decide if they want to proceed with the ADHP program. Ms. Policelli stated that there is such a shortage of personnel that there is discussion regarding instituting a midlevel practitioner. She stated that there would be a requirement of additional education beyond the ADHP license requirement and once the Hygienist takes over the midlevel license they would be required to give up the Dental Hygienist license but they could not take x-rays.

Ms. Taxin stated that a presentation on another license level was discussed.

Ms. Policelli stated that there are several models being presented. She stated that many border States near Canada are looking at different ways to get dental care to their citizens. She asked what type of license would be available to the midlevel licensee if they came to Utah. She stated that Dentists are also trying to become licensed as Dental Hygienists in the border States.

Ms. Taxin responded that she does not believe the additional categories will be available in Utah in the near future. She stated that Utah could only issue a Dentist license or a Dental Hygienist license to those who meet requirements.

Board members thanked Ms. Taxin and Ms. Policelli for attending the conferences and reporting back to the Board.

Noel Taxin Update on Bleaching Kiosks

This item was covered in the report on the conference.

Conference Travel and Meetings Expectations

Ms. Taxin informed the Board that the State has put a freeze on travel. She stated that she has submitted a request for 1 person to attend the mid-year meeting in

Chicago and for 2 people to attend the annual meeting in September/October 2009. She stated that the 2 people would be herself and one Board member. Ms. Taxin stated that she included a justification regarding the reasons these meeting are important and should be attended.

Ms. Taxin explained that the Dentist and Dental Hygienist meetings are very different than other professions she has managed. She stated that the State paid \$1,600.00 for the annual dues and then there was a \$425.00 registration fee for each person attending with an additional \$295.00 to register to be a voting member. Ms. Taxin stated that all other professions include a member voting ballot with the registration fee for their conferences. She explained that she called WREB and there is some funding for the mid-year meeting as the participants volunteer their time to assist with the examinations. Ms. Taxin stated that she has requested 1 person per meeting be approved to attend the meeting as WREB will fund.

Ms. Taxin reminded the Board that there are 3 meetings combined, the Board of Directors (DOB), the Dental Hygienist meeting (DHR) and the Dentist (DDS) meeting.

Ms. Policelli commented that her meeting in January will be fully funded.

Ms. Taxin stated that 1 Dental Hygienist and 1 Dentist may attend with full funding. She stated that she will have the dates of the meetings available at the next Board meeting. Ms. Taxin stated that even if WREB funds the travel, we will still need to submit paperwork for travel approval. She stated that when people serve on the Board they represent Utah and the Utah State Board.

Ms. Policelli commented that it is hard to know who you are representing when you attend some meetings.

WREB Update

This item was covered in the conference review and in the conference travel.

Board Member Training

Prior to starting the training, Dr. Morgan asked Ms. Taxin to explain how new Board members are chosen as he understood that Board members were to provide names of which one would be chosen.

Ms. Taxin responded that each professional Association is requested to submit a list of names and their resumes for review and a name is chosen from the list. She stated that sometimes the Association does not respond and then she will contact someone to serve. She stated that sometimes people do not want to serve and then she may ask someone else. Ms. Taxin stated that it is important for each Board to have a full Board.

Ms. Taxin then conducted the annual Board member training. She explained that this training is required each year.

Ms. Taxin reviewed the Open and Public Meetings Act guidelines with formal Board meetings for business and reminded the Board that all Board meetings are recorded with the recording being retained for a year. She reviewed the guidelines for Board meetings and explained that Board business must be conducted in the formal Board meeting with an agenda having been posted 24 hours in advance for any interested public people to be able to attend. She explained that a quorum of Board members is required to make decisions with motions and votes. She explained that agenda items cannot be added after 24 hours prior to a Board meeting period and will have to wait for the next scheduled Board meeting. Ms. Taxin explained the purpose for closing a meeting and stated that with the Open Public Meetings Act there are very few reasons to close a meeting and have the public leave. Ms. Taxin reviewed electronic (telephonic) participation by Board members and for interviews. She stated that Board members and public visitors may be requested to leave a Board meeting if they are being disruptive. Ms. Taxin covered the issue of requesting a probationer, an applicant or any individual to leave the meeting for Board discussion and stated that meetings are open and comments should be made to the individual in order for them to understand the issues. She stressed the importance of

Board members being professional, remembering that they are here to protect the public, to be fair, attentive and balanced in their comments and decisions. She stated that Board members should be respectful to each other as well as any visitors or people with appointments. She stated that they should listen and consider other view points, sometimes being creative but clear and open in communication and hold judgment until after all the facts have been presented. Ms. Taxin recommended that the Board review and be familiar with the Dentist and Dental Hygienist Laws and Rules in order to make correct decisions. She stated that they should be positive role models.

The Board thanked Ms. Taxin for the information.

2009 Board Meeting Schedule

The Board noted the following dates for the 2009 Board meeting schedule:

January 8, February 26 (Policelli has a conflict this date), March 19, April 16, May 21, June 18, July 16, August 20, September 17, October 22, November 19 and December 17, 2009.

Board members were requested to review their calendars and be prepared to make any changes at the next Board meeting.

CORRESPONDENCE:

Dr. Mark Feldman's letter regarding CITA Examination

The Board reviewed Mr. Feldman's letter and information regarding his support for the CITA examination.

The Board determined the examinations currently listed in the Laws and Rules are the only examinations they will accept at this time.

NEXT MEETING SCHEDULED FOR:

December 4, 2008

ADJOURN:

The time is 5:26 pm and the Board meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

December 4, 2008
Date Approved

(ss) Anna Policelli, RDH
Chairperson, Utah Dentist & Dental Hygienist
Licensing Board

November 12, 2008
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational &
Professional Licensing